

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
No. 2:23-CV-33-D

DESPINA NEUPH LUCAS,

Plaintiff,

v.

MARTIN O'MALLEY,  
Commissioner of Social Security,

Defendant.

**ORDER**

On January 25, 2023, plaintiff, appearing pro se, filed a complaint [D.E. 1]. On November 17, 2023, defendant moved to dismiss [D.E. 19] and filed a memorandum in support [D.E. 19-1]. On November 17, 2023, the clerk sent plaintiff a notice regarding rights to file a response to the motion to dismiss [D.E. 20]. On December 8, 2023, plaintiff filed a letter stating

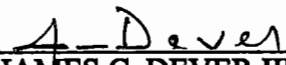
[n]o contact from the defendant has been received. I cannot view their response online on Pacer.gov and I have not been served a copy of their response to date. Therefore, I cannot answer it. I am requesting a judgment in my favor on the matter as I have not been served properly documents filed!

[D.E. 21].

On January 26, 2024, the clerk sent plaintiff a second notice regarding rights to file a response to the motion to dismiss [D.E. 22]. Plaintiff did not respond to the clerk's notice and has not filed a response to defendant's motion to dismiss.

For the reasons stated in defendant's memorandum of law in support of his motion to dismiss [D.E. 19-1], the court GRANTS defendant's motion to dismiss [D.E. 19] and DISMISSES plaintiff's complaint.

SO ORDERED. This 28 day of March, 2024.

  
\_\_\_\_\_  
JAMES C. DEVER III  
United States District Judge